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82D CONGRESS, 2d Session | SENATE | REPORT No. 1406

# DR. NICOLA M. MELUCCI

APRIL 8 (legislative day, APRIL 2), 1952.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany S. 1324]

The Committee on the Judiciary, to which was referred the bill (S. 1324) for the relief of Dr. Nicola M. Melucci, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Nicola M. Melucci. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

### STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native and citizen of Italy who last entered the United States on April 13, 1948, to attend the Graduate School of Medicine of the University of Pennsylvania. He completed his basic studies and served a 2-year residency at the Graduate Hospital in Philadelphia. He is presently employed at the Lempert Institute of Otology in New York City.

A letter dated February 7, 1952, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

FEBRUARY 7, 1952.

Hon. PAT MCCARRAN,
*Chairman, Committee on the Judiciary,*
*United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 1324) for the relief of Dr. Nicola M. Melucci, an alien. The bill would grant permanent residence to Dr. Melucci.

The files of the Immigration and Naturalization Service of this Department disclose that Dr. Melucci is a native and citizen of Italy, who was born on February 2, 1923. He arrived in the United States at the port of New York on April 13, 1948, and was admitted as a student under section 4 (e) of the Immigration Act of 1924 for a period ending October 26, 1948. He has been granted several extensions of stay, the last of which will expire on March 8, 1952. He attended the Graduate School of Medicine of the University of Pennsylvania until May 28, 1949, and served a 2-year residency at the Graduate Hospital in Philadelphia. He has accepted a residency at the Lempert Institute of Otology at New York City for the period from July 1, 1951, until June 30, 1952, for further training in the field of otolaryngology. This additional year of training has been recommended by the faculty of the Graduate School of Medicine of the University of Pennsylvania. The alien, who is single, has two uncles and an aunt residing in the United States. His parents, a brother, and three sisters reside in Italy.

The files further disclose that the alien was a member of a students' division of the Fascist Party from 1929 to 1943. He volunteered for training as an officer and became squadron leader in command of 30 students for 3 or 4 years between his fourteenth and seventeenth birthdays. He testified that he was not an officer with authority, but held command as an educated person who would be called upon to order units to march on special occasions, such as parades and gymnastic exhibitions. The students had two or three exhibitions a year which required 3 or 4 weeks of drilling to prepare for. He severed his connection with the Fascist Party in 1943, at which time he was in his second year of medical school, when it became apparent to him that he did not have much time to be an active member of the organization, and also the party was disintegrating. He testified further that his father was an ordinary member of the Fascist Party for a period of 12 years.

The quota for Italy, to which the alien is chargeable, is oversubscribed, and an immigration visa is not readily obtainable. The record presents no facts which would justify the enactment of special legislation granting him an exception from the requirements of the general immigration laws.

Accordingly, the Department of Justice is unable to recommend the enactment of this measure.

Sincerely,

A. DEVITT VANECH,
*Deputy Attorney General.*

The following affidavit and letters have been submitted to the Senate Committee on the Judiciary in support of the bill:

AFFIDAVIT OF DR. NICOLA M. MELUCCI

STATE of NEW YORK, *ss:*

Nicola M. Melucci being first duly sworn on oath deposes and says as follows:

That he was born in St. Angelo Fasanella, Province of Salerno, Italy, on the 2d day of February 1923. That at the age of 6 years he began school which were then operated by the Italian Government. That at the age of 6 years and in accordance with the compulsory practice then prevailing in Italy, he was automatically made a member of the students division of the Fascist Party, and he was a member throughout his school life until 1943. That in 1943 he was a minor and was then 20 years of age, and still pursuing his formal education.

That membership in the students division of the Fascist Party was a compulsory obligation for all school children throughout Italy. That during this period, he in no way exercised any political authority, nor held any political elective office. That he never entertained or adhered to any political philosophies, but his only thought was to acquire an education. That he during his minority (14 to 17 years of age) and because he was an educated person who would be called upon, he volunteered to lead a group of younger school children in gymnastic exhibitions, school parades, playground activities, and athletic events, especially soccer games.

That in 1943, now being able to sever his connection with the students' division, he did so and continued all his efforts in the line of scholastic achievements at the school of medicine at Naples, and was graduated in 1947, cum laude.

That during the entire war he did not bear arms nor assist the Fascists in any way. That since he severed his connection with students' division in 1943, he has not been a member of any political party or organization in Italy or elsewhere. That he is a firm believer in the democratic way of life and abhors all forms of totalitarian government. That he is not imbued with any of the totalitarian ideologies.

NICOLA M. MELUCCI.

Subscribed and sworn to before me this 17th day of March 1952.

[SEAL] FRANK FABIAN,
*Notary Public, New York.*

Commission expires March 30, 1953.

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UNIVERSITY OF PENNSYLVANIA,
GRADUATE SCHOOL OF MEDICINE,
*Philadelphia, March 26, 1951.*

Re Nicola Melucci, M. D.

*To Whom It May Concern:*

Dr. Nicola Melucci is a native of Italy, where he received his preliminary medical education, coming to this country with a student's visa for training in the basic and applied sciences in otolaryngology at the Graduate School of Medicine of the University of Pennsylvania.

He was evidently a well-trained man when he came to us in the fall of 1948, and he has been a very intelligent student during the 2½ years that he has already been with us. He finished his basic science studies very satisfactorily in June 1949, completed a year's residency in otolaryngology in the Graduate Hospital of the University of Pennsylvania in June 1950, and is at present serving a year's residency in broncho-esophagology in the Graduate Hospital under the preceptorship of Dr. Gabriel Tucker. His work in all these lines has been excellent. He has also been serving as an abstractor of foreign literature for the Archives of Otolaryngology, of which I am chief editor. He is now applying for citizenship.

Ethically and morally we have found Dr. Melucci entirely satisfactory, and it is my belief, if admitted to citizenship, he would be a credit to the medical profession here, and make a good citizen.

Very truly,

GEORGE M. COATES,
*Professor of Otorhinology.*

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PHILADELPHIA, *March 27, 1951.*

*To Whom It May Concern:*

I am writing in behalf of Dr. Micola Mario Melucci who is very anxious to obtain his citizenship of the United States.

He came to this country on a student's visa 3 years ago. He was a well-trained physician and came here to study a specialty. He studied medicine in Italy and trained in the specialty of ear, nose and throat and its associated skilled subspecialties at the Graduate School of Medicine, University of Pennsylvania. It is here that I have been able to observe him and appreciate his skill and aptitude. He first took the basic course and then served a 2-year residency at the Graduate Hospital including bronchology. He served in his position with unusual application and skill. In spite of his early handicap of difficulty with the English language he did exceedingly well and has now gained a fine command of the language.

Not only has he taken advantage of the opportunities in securing the special technical knowledge but was indoctrinated with enthusiasm for the American way of life. He has revealed a fine moral character, has shown himself to be a gentleman of the first order free of any objectionable traits which would in any way count against his becoming a most desirable citizen.

I believe that on professional, social and moral grounds he would be an asset as an American citizen as well as an asset as a skilled physician and surgeon.

BENJAMIN H. SHUSTER, M. D.,
*Professor of Clinical Otolaryngology, Graduate School of Medicine,*
*University of Pennsylvania.*

UNIVERSITY OF PENNSYLVANIA,
THE GRADUATE HOSPITAL,
*Philadelphia 46, March 28, 1951.*

*To Whom It May Concern:*

This is to certify that Dr. Nicola M. Melucci served as a resident in otolaryngology at the Graduate Hospital of the University of Pennsylvania and in the subspecialty of bronchology, esophagology and laryngeal surgery since July 1, 1949.

Dr. Melucci is a native of Italy and now desires to apply for citizenship in the United States. I am very happy to recommend him as a sincere, hard working young man who is a credit to the medical profession. He has acquired the very highest integrity and character from the start. If his application is granted favorable consideration, I am absolutely certain that he will make an excellent citizen of this country as well as a top ranking physician.

I strongly endorse his application to you.

Very truly yours,

EDWIN L. TAYLOR,
*Director.*

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UNIVERSITY OF PENNSYLVANIA,
*Philadelphia 3, March 27, 1951.*

Re: Dr. Nicola Melucci

JUDICIARY COMMITTEE,
*United States Senate, Washington, D. C.*

*To Whom It May Concern:*

Dr. Nicola Melucci, a native of Italy, has been a student in the Graduate School of Medicine, University of Pennsylvania, in which he pursued a basic course in otolaryngology from October 1948 to July 1949. Following a satisfactory completion of this course he served as a resident physician in otolaryngology for a term of 1 year beginning July 1949 to June 30, 1950. He then served a term as a resident physician in bronchology, esophagology and laryngeal surgery on my service beginning, July 1950 to the present time and will continue to July 1, 1951.

Dr. Melucci has been an earnest, hardworking student. He has been a conscientious student and a courteous gentleman during the 3 year term he has been associated with the Graduate School of Medicine, University of Pennsylvania. He is very well liked by his teachers and associates.

He now desires to become a citizen of the United States and it is a great pleasure for me to recommend that he be granted this privilege. It is my firm belief that as a citizen he would be an asset to this country and I am sure that he will be a credit to the medical profession when he has passed the technical qualifications. I wish to recommend him for consideration of the Judiciary committee and urge that he be granted citizenship.

Very truly yours,

GABRIEL TUCKER, M. D.,
*Chairman of the Department and Professor of Bronchology, Esophagology, and Laryngeal Surgery.*

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WASHINGTON, D. C., *April 17, 1951.*

Re: Nicola Melucci, M. D., Graduate Hospital Philadelphia, Pa.

SENATE JUDICIARY COMMITTEE,
*Senate Office Building, Washington, D. C.*

HONORABLE SIRS: This is to respectfully recommend that Dr. Nicola M. Melucci, a native of Italy and resident of the United States since April 1948, be granted permanent residence in the United States of America.

Dr. Nicola Melucci was graduated from the University of Naples Medical School cum laude in 1947. He has since served as a resident physician at the Graduate Hospital of the University of Pennsylvania as well as pursuing medical courses highly technical in nature.

I have been a close, personal friend of Dr. Melucci for the past 3 years and I have been impressed by his firm beliefs in our American way of life as well as his being a gentleman of good habits and conduct.

At the present time there exists in the United States a severe shortage of physicians and qualified medical personnel therefore it is a pleasure to recommend Dr. Melucci for permanent residence in our great country as I firmly believe that the doctor's residence would be beneficial from a medical standpoint as well as otherwise to the community in which he resides.

Respectfully yours,

DOMENIC TESAURO,
*Attorney at Law.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1324) should be enacted.

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